

REMARKS

Claims 1-22 are pending in this application. By this Amendment, the title and claims 1, 4, 6, 11-12 and 14-15 are amended, claims 3 and 9 are canceled, and claims 23-36 are added. No new matter is added.

The Office Action objects to the Title. By this Amendment, the Title is amended to be more descriptive. Withdrawal of the objection is respectfully requested.

The Office Action rejects claims 1-22 under 35 U.S.C. §102(b) over Great Britain Patent Publication No. GB 2,278,537A (GB 537). This rejection is respectfully traversed.

Independent claim 1 is amended to incorporate the subject matter of cancelled claim 3 and claim 6 is amended to be in independent form and to include subject matter of canceled claim 9.

Independent claim 1 is directed to a toothbrush having a rechargeable energy store and recites a primary sealing element that prevents the energy store from coming into contact with splash water and a movable secondary sealing element that seals at least the contact element, during use of the toothbrush, to prevent contact with splash water. The secondary sealing element also renders the contact element accessible from outside the body during a charging operation (of the energy store). For example, see Applicants' Figs. 7-10 and paragraphs [0085] to [0105].

GB 537 does not teach a secondary sealing element as claimed. Rather, prongs 14 are shown to be exposed at all times. Because GB 537 fails to teach each and every feature of independent claim 1, independent claim 1 and claims 2, 4, 5, and 13-22 dependent therefrom are not anticipated by GB 537.

Independent claim 6 relates to a toothbrush with a rechargeable energy store and recites a body with first and second housing parts relatively movable between an open and a closed position. An inner space of the body contains the energy store and at least one contact

element. The contact element is accessible from the outside for a charging operation when the housing parts are in the open position and the inner space, including the energy store and at least one contact element, is sealed from splash water when the housing parts are in the closed position. For example, see Applicants' Figs. 3a-4b and paragraphs [0068] to [0078]. Also see Figs. 1 and 5-11 and 13.

Although GB 537 has a two-part housing, this housing includes a base housing and a housing forming a detachable brush head and neck. GB 537 fails to teach an inner space that is openable to access the contact element and closable to seal the inner space, including a contact element for charging, from splash water. Rather, the two part housing has no effect on the prongs 14, which remain exposed to the outside.

Because GB 537 fails to teach each and every feature of independent claim 6, independent claim 6 and claims 7-12 dependent therefrom are not anticipated by GB 537. In particular, with respect to dependent claim 10, GB 537 fails to teach that one of the first and second housing parts are screwed to one another. With respect to dependent claims 11-12, GB 537 fails to teach a switch that interacts with the second housing part to deactivate the functional unit when the first and second housing parts are in the open position.

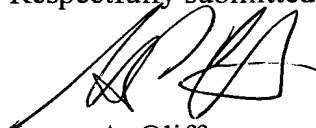
Withdrawal of the rejection is respectfully requested.

Claims 23-36 are added. Claims 23-36 are allowable for their dependence on allowable base claims and for the additional features recited therein.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-2, 4-8, and 10-36 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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